



51

163885

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Jeffrey E. Habben
Application Number : 09/545,334
Filing Date : 04/07/2000
Title : Regulated Expression of Genes in Plant Seeds

Group/Art Unit : 1638
Examiner : Baum, Stuart F.
Attorney Docket Number : 0803

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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LETTER

Examiner has requested that Applicant submit a legible copy of the amendment filed on July 28, 2003 in response to the office communication mailed March 27, 2003. The amendment was considered a *bona fide* attempt to respond but has not been entered because the faxed copy was of poor quality. Enclosed is a legible copy of the original documents as faxed for entering into the application.

Respectfully submitted,

Karen K Varley
Karen K. Varley
Agent for Applicant(s)
Registration No. 45,751

PIONEER HI-BRED INTERNATIONAL, INC.
Corporate Intellectual Property
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/545,334
		Filing Date	04/07/00
		First Named Inventor	Jeffrey E. Habben
		Art Unit	1638
		Examiner Name	S. Baum
Total Number of Pages in This Submission	23	Attorney Docket Number	0803

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ Remarks	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> 1 mo. Extension of Time
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Karen K. Varley		
Signature			
Date	July 28, 2003		

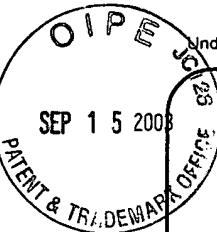
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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110)

Complete if Known	
Application Number	09/545,334
Filing Date	04/07/00
First Named Inventor	Jeffrey E. Habben
Examiner Name	S. Baum
Group / Art Unit	1638
Attorney Docket No.	0803

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 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity
--------------	--------------

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			0	X	0
			0	X	0

Large Entity	Small Entity
--------------	--------------

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

3. ADDITIONAL FEES	FEE CALCULATION (continued)			
Large Entity	Small Entity			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	410	2252	205	Extension for reply within second month
1253	930	2253	465	Extension for reply within third month
1254	1,450	2254	725	Extension for reply within fourth month
1255	1,970	2255	985	Extension for reply within fifth month
1401	320	2401	160	Notice of Appeal
1402	320	2402	160	Filing a brief in support of an appeal
1403	280	2403	140	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
Other fee (specify) _____				
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 110)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Karen K. Varley	Registration No. Attorney/Agent	45,751 Telephone 515-334-6780
Signature	Karen K. Varley	Date	July 28, 2003

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on September 10, 2003

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Signature

Karen K. Varley

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- 5) Copy of Transmittal (1 Page)
- 6) Copy of Fee Transmittal (1 Page)
- 7) Copy of Petition for Extension of Time (1 Page)
- 8) Copy of Amendment and Request for Reconsideration (18 Pages)

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Application No. 09/545,334; Attorney Docket No. 0803

1. Fax Cover Sheet (1 pg.)/ 1 copy
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4. Fee Transmittal (1 pg.)/ 1 copy
5. Petition for Extension of Time (1 pg.)/ 1 copy
6. Amendment and Request for Reconsideration (18 pgs.)/ 1 copy

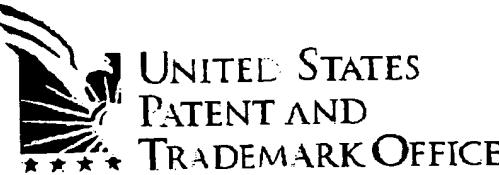
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TO:	Commissioner for Patents		
FROM:	Karen K. Varley, Registration No. 45,751		
RE:	U. S. Patent Application No. 09/545,334; Attorney Docket No. 0803 Applicants: Habben, et al. Title: Regulated Expression of Genes in Plant Seeds		
DATE:	July 28, 2003	FAX NUMBER: (703) 872-9306	
NUMBER OF PAGE(S) FOLLOWING THIS SHEET: 22			
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Phone: (515) 334-6780
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TO: Commissioner for Patents

FROM: Karen K. Varley, Registration No. 45,751

RE: U. S. Patent Application No. 09/545,334; Attorney Docket No. 0603
Applicants: Habben, et al.
Title: Regulated Expression of Genes in Plant Seeds

DATE: July 28, 2003 FAX NUMBER: (703) 872-9306

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- Certificate of Transmission (1 pg.)/1 copy
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